IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 7742 of 2006(V)

PETITIONER:

NASEER.P., S/O.MOIDEEN,
PAIKAT HOUSE, PATHANAPURAM, VALILLAPUZHA P.O.,
MALAPPURAM DIST.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, DEPARTMENT OF
GENERAL EDUCATION, SECRETARIAT,
THIRUVANANTHAPURAM.

2. KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY THE SECRETARY, KERALA PUBLIC
SERVICE COMMISSION, PATTOM, THIRUVANANTHAPURAM.

3. DEPUTY DIRECTOR OF EDUCATION,
KASARGOD.

4. THE DISTRICT OFFICER,
KERALA PUBLIC SERVICE COMMISSION, KASARGOD.

BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC
GOVT.PLEADER SMT.M.R.SREELATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP.7742/2006)

EXT.P1: TRUE COPY OF RANKED LIST FOR THE POST OF FULL TIME JUNIOR LANGUAGE TEACHER WITH EFFECT FROM 22/9/2003.

A.K. Basheer, J.

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W.P(C) No. 7742 of 2006

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Dated this the 26th day of June, 2007.

J U D G M E N T

Petitioner had been placed at serial No.22 in the supplementary list of candidates prepared by the Kerala Public service Commission for appointment to the post of Full Time Junior Language Teacher (Arabic) in the District of Kasargod. Petitioner had raised several contentions in support of his plea that he is liable to be advised from the list. However it is now conceded by the petitioner that the list had expired on September 20, 2006.

2. In paragraph 6 of the counter affidavit filed by respondents 2 and 4, it is averred thus:

> "It is submitted that the Deputy Director of Education, Kasaragod had reported 10 vacancies for the above post on 20/02/2006. The ranked list exhausted on 27/06/2006 after advising all the candidates from the main list. The petitioner was included in the supplementary list for Muslim with rank 22, and his turn did not arise for advice against the vacancies reported by the appointing authority. Even if the Deputy Director of Education had reported more vacancies than the 10 vacancies reported

on 20/02/2006, only 3 candidates could have been advised."(emphasis supplied)

In view of the above categoric averments made by the Commission, I am of the view that petitioner is not entitled to get any relief in the writ petition. Accordingly it is dismissed.

A.K. Basheer
Judge.

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